

Charter Review Commission Members

Theodore Pickerill

Chair

David Stark
Vice Chair

Fred Andes
Commissioner

Donna Baker
Commissioner

Dan Bates
Commissioner

Robert Batterson
Commissioner

Warren Brookins
Commissioner

Daniel Hall
Commissioner

Danny Ivers
Commissioner

Jeffery Jones
Commissioner

Jennifer McQueen
Commissioner

Kevin Kessler
Commissioner

Rob Wile
Commissioner

I. Call to Order

II. Approval of Minutes

III. Oath of Office – Donna Baker, Robert Batterson, and Jeffery Jones

IV. Article XII – Section 12.03 Fire Force

Proposed changes by Fire Chief Mark Mercer

V. Article XII – Remaining Sections

A discussion on the remaining section under Article VII of the Charter

VI. Audience of Citizens

Individuals who wish to make comments regarding items scheduled on the Agenda may speak during this part of the agenda or may reserve the right to speak specifically when that item is up for a vote on the floor. Individuals who wish to speak regarding items not specifically scheduled may do so at this time. All individuals who intend to address the Commission are required to state their name and address for the record.

If Citizens wish to have an issue addressed by the Commission they should email those questions or comments to the City Clerk at: nick.garuckas@hamilton-oh.gov. The City Clerk may read your comments into the record during the appropriate meeting. If comments are submitted far enough in advance of an upcoming meeting, an official response may also be read into the record. You must still provide your name and address for the record. Please be concise with potential comments.

VII. Audience of the City Clerk

VIII. Audience of the Commission

IX. Next Meeting

X. Adjournment

All Charter Sections being discussed are on file in the Office of the City Clerk at 345 High Street Hamilton, OH 45011 and are available on request in advance of the meeting. Additionally, the discussed Charter Sections are available on the City's website. The City of Hamilton is pleased to provide accommodations to disabled individuals and encourage their participation in city government. Should special accommodations be required, please contact the City Clerk's office at 513-785-7182 (24) hours before the scheduled meeting.





Founded 1791

Hamilton Fire Department
Mark F. Mercer, Chief

77 Pershing Avenue
Hamilton, Ohio 45011
513.785.7500
Fax 513.867.7321

April 22, 2020

Director Scrimizzi,

Please see my recommendation for a revision to Section 12.03 of the city charter. There are several reasons for which I recommend these changes.

The current charter describes a scheduling procedure which is outdated, and which is not applied as described in the charter. I feel it is important to deconflict the charter and actual practice. While the current charter describes a schedule which would be manageable within the FLSA, the application is not consistent with the negotiated agreement, nor is it a manageable schedule in the modern fire service.

12.03 Fire Force

The City shall maintain a fire force consisting of an officer in charge thereof and of such number of other officers, firefighters and employees as may be fixed in accordance with the provisions of Section 5.09 of this Charter. In case of riot, conflagration, or like emergency, the City Manager may appoint additional officers and firefighters for temporary service who need not be in the classified service of the City. The officer directly in charge of the fire force shall have control of the stationing and other disposition of the force under rules and regulations as he or she may establish with the approval of the City Manager.

(A) On and after ~~January 1, 1954~~[UPATE TO APPROPRIATE EFFECTIVE DATE], the Chief of the Fire Division of the City of Hamilton, Ohio, shall ~~divide the uniform force of said fire force into not less than two platoons.~~

~~The Chief shall keep a platoon of the uniform force on duty twenty four consecutive hours, after which the platoon serving twenty four hours shall be allowed to remain off duty at least twenty-four consecutive hours. Each individual member of the platoons, in addition to receiving a minimum of twenty four hours off duty in each period of forty eight hours, shall receive an additional period of twenty four consecutive hours off duty in each period of six days so that no individual member shall be on duty more than a total of ninety six hours in each consecutive period of twelve days each.~~

~~In the discretion of the Chief of the Fire Division, the fire force may be divided into a three platoon system, wherein the members work twenty four consecutive hours immediately followed by forty eight consecutive hours off duty,~~organize and direct the staffing of the force to maintain staffing for the emergency and administrative duties of the department; and in order to carry out the terms of this section, the Council of the City of Hamilton, Ohio, shall levy an additional tax outside of any legal limitations for Fire Division purposes at a rate of one mill (\$.001) for each one dollar

(\$1.00) of valuation, which amounts to ten cents (\$.010) for each one hundred dollars (\$100.00) of valuation

ARTICLE XII

POLICE AND FIRE SERVICE

12.01 Police Force

The City shall maintain a police force consisting of an officer directly in charge thereof and of such number of other officers, patrol officers and employees, as may be fixed in accordance with the provisions of Section 5.09 of this Charter. In case of riot or like emergency, the City Manager, or the Mayor if he or she shall have been authorized by the Council to take charge of the police force, may appoint additional patrol officers and officers for temporary service who need not be in the classified service of the City. The officer directly in charge of the police force shall have control of the stationing and other disposition of all members of the force under rules and regulations as he may establish with the approval of the City Manager.

12.02 Special Police

No person shall act as special police, special detective, or other special police officer for any purpose whatsoever, except on the written authority of the officer directly in charge of the police force or the City Manager. Such authority shall be exercised only under the direction and control of the officer directly in charge of the police force and shall be issued for a specified time, not to exceed six months.

12.03 Fire Force

The City shall maintain a fire force consisting of an officer in charge thereof and of such number of other officers, firefighters and employees as may be fixed in accordance with the provisions of Section 5.09 of this Charter. In case of riot, conflagration, or like emergency, the City Manager may appoint additional officers and firefighters for temporary service who need not be in the classified service of the City. The officer directly in charge of the fire force shall have control of the stationing and other disposition of the force under rules and regulations as he or she may establish with the approval of the City Manager.

- (A) On and after January 1, 1954, the Chief of the Fire Division of the City of Hamilton, Ohio, shall divide the uniform force of said fire force into not less than two platoons. The Chief shall keep a platoon of the uniform force on duty twenty-four consecutive hours, after which the platoon serving twenty-four hours shall be allowed to remain off duty at least twenty-four consecutive hours. Each individual member of the platoons, in addition to receiving a minimum of twenty-four hours off duty in each period of forty-eight hours, shall receive an additional period of twenty-four consecutive hours off duty in each period of six days so that no individual member shall be on duty more than a total of ninety-six hours in each consecutive period of twelve days each.

In the discretion of the Chief of the Fire Division, the fire force may be divided into a three platoon system, wherein the members work twenty-four consecutive hours immediately followed by forty-eight consecutive hours off duty, and in order to carry out the terms of this section, the Council of the City of Hamilton, Ohio, shall levy an additional tax outside of any legal limitations for Fire Division purposes at a rate of one mill (\$.001) for each one dollar (\$1.00) of valuation, which amounts to ten cents (\$.10) for each one hundred dollars (\$100.00) of valuation.